IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 1522 of 2007
Date of Decision: 20.3.2007

Ranjit Singh ...Petitioner

Versus

Amarjit Kaur ....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri J.S. Chahal, Advocate, for the petitioners.

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the learned trial Court on 18.1.2007, whereby an application for deferring the cross-examination of PW1, was declined and the same was recorded as nil. On the aforesaid date, the case was adjourned to 24.7.2007 for cross-examination of the remaining witnesses of the plaintiff.

Learned counsel for the petitioner states that on 18.1.2007, he could not appear before the learned trial Court as he was busy in the High Court in other cases. The learned counsel for the petitioner states that if one opportunity is granted, the petitioner shall cross-examine the witness and shall also compensate the plaintiff for inconvenience caused to the witness. He further states that the counsel would make arrangements for defending the suit even if he is not able to appear personally on some of the dates before the trial Court.

In view of the above, I deem it appropriate to set aside

the impugned order recording the cross-examination of PW1 as nil, subject to payment of costs of Rs.2000/-. If the coasts are paid on or before 23.4.2007, the learned trial Court shall recall the witness for the purposes of cross-examination on 24.7.2007. If the defendant is not able to cross-examination the witness on the aforesaid date, no further date shall be granted to the petitioner to cross-examine the aforesaid witness.

With the aforesaid observation, the present revision petition is disposed of with the direction to the petitioner to appear before the learned trial Court on 23.4.2007.

20-03-2007 (HEMANT GUPTA)
ds JUDGE